

#19

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Naoyasu MIYAGAWA et al.

Docket No.

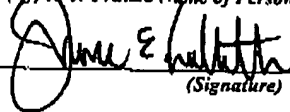
JEL28567RE-F

Serial No.
09/460,221Filing Date
December 13, 1999Examiner
N. HindiGroup Art Unit
2655

Invention:

OPTICAL RECORDING/REPRODUCING APPARATUS FOR OPTICAL
DISKS WITH VARIOUS DISK SUBSTRATE THICKNESS**Attention
Special Application -
Subject to Expedited
Processing**I hereby certify that this _____ Petition and Request for Extension of Time _____
(Identify type of correspondence)is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-308-5401)on July 21, 2003
(Date)James E. Ledbetter, Reg. No. 28,732

(Typed or Printed Name of Person Signing Certificate)


(Signature)

Note: Each paper must have its own certificate of mailing.

RECEIVED
JUL 21 2003
Special Program Unit
Group 2700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

In re the Application

Inventors: Naoyasu MIYAGAWA, et al.

Art Unit 2655

Appln. No.: 09/460,221

Examiner N. Hindi

Filed: December 13, 1999

For: OPTICAL RECORDING/REPRODUCING APPARATUS FOR OPTICAL
DISKS WITH VARIOUS DISK SUBSTRATE THICKNESS

PETITION AND REQUEST FOR EXTENSION OF TIME
UNDER 37 CFR 1.136(b) AND MPEP 1002.02(c)(8)

Attention
Special Application -
Subject to Expedited
Processing

A Reply Brief and Request for Oral Hearing are due in this
reissue application on August 6, 2003.

Applicants respectfully petition for and request a one-month
extension of time to file a Reply Brief and Request for Oral
Hearing in this application based on good cause pursuant to 37
CFR 1.136(b).

The reasons for this Request are:

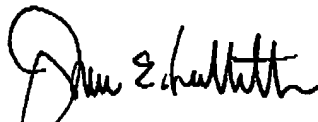
- (1) this application is subject to a recapture rejection,
- (2) a recent precedential Board decision in *Ex parte Eggert et al.*, Appeal No. 2001-0790, Application No. 09/110,145, decided May 29, 2003 and made available to the public on June 30, 2003, is pertinent to the recapture issues in this application, and
- (3) additional time is needed in order to evaluate the decision in *Ex parte Eggert et al.* and develop arguments in Appellants' Reply Brief in this application, taking into account

this recent decision.

Accordingly, a one-month extension of time to September 6, 2003 is respectfully requested.

If any fee is due, the fee may be charged to deposit account no. 19-4375.

Respectfully submitted,



Date: July 21, 2003

James E. Ledbetter
Registration No. 28,732

JEL/att

ATTORNEY DOCKET NO. JEL 28567RE-F

STEVENS, DAVIS, MILLER & MOSHER, L.L.P.
1615 L Street, N.W., Suite 850
P.O. Box 34387
Washington, D.C. 20043-4387
Telephone: (202) 408-5100
Facsimile: (202) 408-5200

Special Program Unit
Group 2700

JUL 21 2003

RECEIVED